

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Audrey Goddard et al. Serial No.: 10/700,992 Filed: November 3, 2003 For: Novel Cytokine Receptors and Nucleic Acids Encoding the Same	Group Art Unit: 1646 Examiner: E. Kemmerer Confirmation No: 4868 CUSTOMER NO: 09157 Electronically Filed October 16, 2006
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

[x] **37 CFR § 1.97(b)**

- within three months of the filing date of the application other than a continued prosecution application under 37 CFR § 1.53(d); **or**
- within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491, **or**
- before the mailing of the first Office action on the merits; **or**
- before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR § 1.114.

☐ **37 CFR §1.97(c)**

- by the applicant after the period specified in 37 CFR §1.97(b), but prior to the mailing date of any of a final action under 37 CFR §1.113, or a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR §1.17(p) **or** a statement as specified in 37 CFR §1.97(e), as checked below.

☐ **37 CFR §1.97(d)**

- after the period specified in CFR §1.97(c), and is accompanied by the fee set forth in 37 CFR §1.17(p) **and** a statement as specified in 37 CFR §1.97(e), as checked below.

[If either of boxes 37 CFR §1.97(c) or 37 CFR §1.97(d) is checked above, the following statement under 37 CFR §1.97(e) may need to be completed.]

- ☐ **37 CFR §1.97(e)** Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ **37 CFR §1.704(d)** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR §1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR §1.704.
- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) and/or publication(s) is set forth on the attached revised Form PTO-1449.

Copies of the items listed on the PTO-1449 form are supplied herewith, except for United States patent(s) and United States patent application publication(s) and other documents that are marked with an asterisk (\*) in the attached PTO-1449 form. Copies of United States patents and United States patent application publications will not be supplied unless requested by the Office [37 CFR §1.98(a)(2)(ii)]. See Final Rule **1287 OG** (October 12, 2004). Other documents cited with an asterisk have not been supplied because they were previously cited by or submitted to the Office

in prior application Serial No. 09/964,994, filed September 26, 2001, and benefit from the prior application is claimed in this application under 35 U.S.C §120. However, copies of any cited document will be provided in its entirety at the request of the Office.

A concise explanation of relevance of the items listed on PTO-1449 is:

- ☒ not given
- ☐ given for each listed item
- ☐ given for only non-English language listed item(s) [Required]
- ☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 for this Information Disclosure Statement, or credit overpayment to Deposit Account No. 07-0630.

Respectfully submitted,

GENENTECH, INC.

Date: October 16, 2006

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FORM PTO-1449

U.S. Dept. of Commerce  
Patent and Trademark Office

Atty Docket No.

P3121R1C1

Serial No.

10/700,992

## LIST OF DISCLOSURES CITED BY APPLICANT

(Use several sheets if necessary)

Applicant

Goddard et al.

Filing Date

03 Nov 2003

Group

1646

## U.S. PATENT DOCUMENTS

Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	124	2003/0022827 A1	30.01.03	Weiss et al.			25.09.01
	125	2003/0170839 A1	11.09.03	Fouser et al.			14.01.02
	126	2003/0219862 A1	27.11.03	Agarwal et al.			22.06.01
	127	2004/0071699 A1	15.04.04	Renauld et al.			31.07.01
	128	2004/0180399 A1	16.09.04	Renauld et al.			11.03.03
	129	2005/0065321	24.03.05	Presnell et al.			19.10.04
	130	2005/0124796 A1	09.06.05	Presnell et al.			28.01.05
	131	2005/0137129 A1	23.06.05	Agarwal et al.			15.10.03
	132	2005/0214314 A1	29.09.05	Presnell et al.			05.11.04
	133	6,875,845	05.04.05	Presnell et al.			
	134	6,897,292	24.05.05	Presnell et al.			

## OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages, etc.)

	135	Dumoutier et al., "Cloning and Characterization of IL-22 Binding Protein, a Natural Antagonist of IL-10-Related T Cell-Derived Inducible Factor/IL-22" <u>Journal of Immunology</u> 166:7090-7095 (2001)
	136	Gruenberg et al., "A novel, soluble homologue of the human IL-10 receptor with preferential expression in placenta" <u>Genes and Immunity</u> 2:329-334 (2001)
	*137	Kotenko et al., "Identification, Cloning, and Characterization of a Novel Soluble Receptor That Binds IL-22 and Neutralizes Its Activity <sup>1,2</sup> " <u>J. Immunol.</u> 166:7096-7103 (2001)
	138	NCBI Sequence Database Accession No. AAA91780 (submitted or updated 09-MAR-1996) pps. 1-2
	139	Renauld, Jean-Christophe, "Class II Cytokine Receptors and Their Ligands: Key Antiviral and Inflammatory Modulators" <u>Nature Reviews/Immunology</u> 3:667-676 (Aug 2003)
	140	Su et al., "The cancer growth suppressor gene mda-7 selectively induces apoptosis in human breast cancer cells and inhibits tumor growth in nude mice" <u>Proc. Natl. Acad. Sci USA</u> 95:14400-14405 (1998)
	141	Xu et al., "A soluble class II cytokine receptor, IL-22RA2, is a naturally occurring IL-22 antagonist" <u>Proc. Natl. Acad. Sci. USA</u> 98:9511-9516 (Aug 14, 2001)

Examiner

Date Considered

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.